



RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE REQUESTED
EXAMINING GROUP 3761
PATENT
Attorney Docket No. 06854.0046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Katsuyoshi Nagao et al.) Group Art Unit: 3761
)
Application No.: 10/554,094.) Examiner: Adam M. Marcetich
)
Filed: October 21, 2005) Confirmation No.: 6586
)
For: Drug Solution Filling Plastic) **Mail Stop AF**
Ampoule and Process for)
Producing the Same)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY

In the Office Action of April 23, 2010, the Examiner rejected claims 1, 3, 11 and 12 under 35 U.S.C. § 103(a), for being obvious over Meierhoefer (U.S. 4,502,616) in view of Itoh (U.S. 6,042,906) further in view of a newly cited reference to Ding (U.S. 6,255,196). The withdrawal of the rejection of the claims for being obvious over Meierhoefer in view of Pfeiffer and Itoh is appreciated. However, it is believed the claims are also not obvious over the newly cited combination of references for the following reasons.

As discussed previously, Meierhoefer discloses a vial in which a container body has only a single layer of plastic. Paragraph 11 of the Office Action. Itoh discloses a